

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

**FILED**

APR 21 2008

ANGELO McCLEARY,  
Plaintiff,

vs.

DR. B. MEYER et al.,  
Defendants.

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY W. H. DEPUTY

No. CIV-07-816-W

**ORDER**

On March 17, 2008, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this matter and recommended that the complaint as filed and amended by plaintiff Angelo McCleary be dismissed upon filing. McCleary was advised of his right to file an objection to the Report and Recommendation, and the matter now comes before the Court on McCleary's Objection file-stamped April 7, 2008.

Upon de novo review of the record, the Court concurs with Magistrate Judge Argo's suggested disposition of this matter. McCleary is not entitled to the legal or equitable relief he has requested, and dismissal of his complaint in its entirety is warranted for the reasons set forth in Magistrate Judge Argo's well-reasoned and thorough Report and Recommendation.

Accordingly, the Court

(1) ADOPTS the Report and Recommendation issued on March 17, 2008;

(2) DENIES the following motions filed by McCleary:

(a) Motions [re] Discovery [Docs. 1-2, 19-3];

(b) Motions [for] Change of Venue [Docs. 1-2, 8];

(c) Motion [for] Court Appointed Special Prosecutor, Investigators and U.S. Marshals [Doc. 9]; and

(d) Motion [for] Speedy Jury Trial [Doc. 19];

(3) deems MOOT McCleary's Motions [to] File as a Pauper [Docs. 1-2, 19-3];<sup>1</sup>

(4) GRANTS to the extent the following motions have been construed as requests to amend McCleary's complaint:

(a) Motions [re] Conspiracy of Alienation of Affection, Slander, Libel, Defamation of Character and Malicious Prosecution [Docs. 1-2, 19-3];

(b) Motion [re] Cruel and Unusual Punishment, Alienation of Affection and Malicious Prosecution [Doc. 1-2];

(c) Motions [re] Life Endangerment, Abduction of Children and Alienation of Affection [Docs. 1-2, 19-3];

(d) Motion [re] Medical Malpractice [Doc. 1-2];

(e) Motion [re] Computer Fraud - EMB [Doc. 10]; and

(f) Motion [re] Computer Software Violations [Doc. 11]; and

(5) because further amendment would prove futile in this case, DISMISSES this matter and ORDERS that judgment issue forthwith.

ENTERED this 21st day of April, 2008.

  
LEE R. WEST  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>On August 29, 2007, Magistrate Judge Argo granted McCleary's Motion fore Leave to Proceed in Forma Pauperis. See Docs. 2, 13.